

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
The Use of N11 Codes and Other) CC Docket No. 92-105
Abbreviated Dialing Arrangements)

COMMENTS OF SOUTHWESTERN BELL TELEPHONE COMPANY

Southwestern Bell Telephone Company (SWBT) hereby submits its Comments in the Further Notice of Proposed Rulemaking (FNPRM) in this docket.

SUMMARY OF COMMENTS

This FNPRM should be treated as an NOI. There are numerous outstanding issues regarding implementation of 711 as a nationwide code for TRS. Until many of those issues are resolved, assignment of 711 should be postponed. SWBT believes there should continue to be only one TRS provider per state or geographic region. Given the limited call volumes for TRS, as well as the technical complexities and associated expense, multiple TRS providers within a given region are unnecessary. If the Commission requires implementation of 711, it must provide adequate cost recovery methods for carriers to recover all network and other related costs incurred in connection with any directed implementation.

I. **INTRODUCTION**

SWBT submits that this FNPRM is in fact akin to a Notice of Inquiry (NOI) and should be treated as such. The Commission raises a number of broad, general issues relating to

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implementation of 711 as a nationwide access code for Telecommunications Relay Service (TRS). The Commission makes only one conclusion in the FNPRM: that access to TRS via 711 should be implemented on a nationwide basis within three years.¹ The Commission, however, recognizes that the underlying basis for reaching this conclusion is preliminary at best. The Commission does not know whether nationwide implementation of 711 for TRS access is technically or economically feasible.² The Commission does not know how TRS providers will be designated and/or whether it will be possible to have multiple TRS providers within a geographic area.³ In short, the FNPRM raises many more questions than it does conclusions. Accordingly, the FNPRM should be deemed an NOI. Until verification that N11 access is technically, operationally and economically feasible, the assignment of 711 as a code for TRS should be postponed. The Commission should use the Comments received from interested parties in this docket, as well as the Comments it receives in the related NOI involving TRS⁴ to determine whether it is appropriate to further address these issues via the rulemaking process.

II. ACCESS TO TELECOMMUNICATIONS RELAY SERVICE

The Commission asks whether there can be nationwide implementation of an N11 code and how to address less than nationwide implementation, if network facilities of some telecom-

¹FNPRM para. 68

²FNPRM para. 67

³FNPRM para. 68

⁴In the Matter of Telecommunications Relay Services, the Americans with Disabilities Act of 1990, and the Telecommunications Act of 1996, CC Docket No. 90-571, Released January 14, 1997.

munications carriers preclude use of N11 for TRS access.⁵ SWBT can only address whether implementation is possible within its five-state area and is not in a position to address implementation issues outside its territory. As will be discussed in these comments, and depending on how the Commission defines "implementation" and what "access" it requires, SWBT believes it has the technical capability to provide access to TRS over 711 in its region in three years.

SWBT envisions various methods that could conceivably be used to implement 711 for TRS access. The technical considerations vary depending upon what method is chosen. The simplest way to implement TRS would be to have one TRS provider per geographic location, such as an entire state, and program each central office in that jurisdiction to route all 711 calls to that provider. Implementation pursuant to the "one provider per central office approach" could be done on a region by region basis as central offices were equipped with the necessary translations.

The Commission specifically asks for comment on how to maintain competition among relay providers.⁶ If there are multiple TRS providers, additional technical considerations arise because the carrier would have to determine which provider should receive the call. SWBT submits that as the number of providers increases, the technical complexities as well as the associated costs also increase. In short, with multiple TRS providers, implementation will take longer and cost more.

Moreover, the Commission should recognize that there is already adequate competition for TRS. Each state in the SWBT region has a competitive bidding process to determine which

⁵FNPRM para. 67

⁶ FNPRM para. 67

vendor will be the provider for that particular area. Use of the competitive bidding process to choose a single optimal provider for a given area is much more efficient than attempting to have multiple TRS providers in the same area. The number of TRS calls within each state is limited. Therefore, it would be virtually impossible for multiple providers within the same area to be financially successful.

If multiple providers were warranted, one option to accommodate this situation would be to route calls on a line-by-line basis similar to a long-distance presubscribed interstate carrier (PIC). This option, however, would raise several potential concerns. First, it would require extensive switch modification and development by switch vendors. In addition, it would require a survey of each individual subscriber, whether or not they used or intended to use TRS, to choose a TRS provider. Finally, if a line-by-line basis was utilized, users would be forced to use the provider designated for the particular phone instead of their preferred provider. In short, this option would require significant time and expense and would not satisfy all users' needs.

Another option envisioned by the Commission is to develop a "gateway" that offers access to multiple TRS providers.⁷ To develop a gateway SWBT or another service provider would have to purchase multiple platforms that would be programmed to work in each central office. The gateway would offer the user a choice of providers. For example, when the user dialed 711, he would receive a text message over the phone screen asking him to enter his provider of choice such as: type 1 for provider A; type 2 for provider B, etc. Education would be required to teach the hearing impaired to use a gateway and it still may not satisfy all users, i.e., the menu could be very large.

⁷FNPRM para. 68

Creating a gateway would also require deployment of intelligent network capabilities so that a single N11 code could be used for TRS. SWBT's Advanced Intelligent Network (AIN) architecture could provide some flexibility but would require a survey of each individual subscriber or some type of PIN code that the caller could input to indicate the preferred provider. At the present time, this capability is only available in 1AESS, 5ESS and DMS100 switches. For example, in a DMS100 call, routing of this type would require special software development by the switch vendor. Although it is not possible to ascertain the exact cost for this development, one can expect the cost would be significant. Another option, but one that defeats the purpose of the 3-digit 711 plan, would be to have customers dial 711-NXX-XXXX and SWBT's switches would then route to different TRS providers. Once again, this would be time consuming and costly and has little advantage over a system using 1-800-XXX-XXXX. In summary, using a gateway for multiple providers of TRS service is impractical and imprudent considering the limited call volumes that would occur.

III. RECOVERY OF COSTS FOR 711 IMPLEMENTATION

Whatever technical scenario is required, implementation of 711 will cost a significant amount of money. SWBT has serious concerns about how these costs will be recovered.

The Commission must provide adequate cost recovery methods for all carriers, but primarily local exchange carriers (LECs), to recover all costs incurred in connection with providing 711 as an access code for TRS. The Commission should not impose the costs for implementing and maintaining 711 for TRS on LECs. The Commission regulations call for cost

recovery for TRS providers through a TRS fund⁸, however, this fund is not available for recovery by carriers. In short, if LECs are directed to implement 711, the Commission must specify the cost recovery method prior to implementation.

IV. SALE OR TRANSFER OF N11 CODES

We agree with the Commission's conclusion that it would not be in the public interest to allow N11 calls to be transferred or sold through private transactions.⁹

V. ADMINISTRATION OF N11 CODES

SWBT has no opposition to the Commission's proposal to transfer responsibility for administration of national N11 codes to the neutral NANP administrator to be recommended by the NANC.¹⁰

⁸47 C.F.R. Sec. 64.604(ii)

⁹FNPRM para. 71

¹⁰FNPRM para. 75

VI. CONCLUSION

For all the foregoing reasons, SWBT respectfully requests that the Commission adopt its Comments in this FNPRM and treat this proceeding as a NOI.

Respectfully submitted,

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March 31, 1997

Certificate of Service

I, Elaine Temper, hereby certify that Southwestern Bell Telephone Company's comments on CC Docket No. 92-105 has been served this 31th day of March, 1997 to the Parties of Record.

A handwritten signature in cursive script, reading "Elaine Temper", is written over a horizontal line.

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